

On February 25, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$200 and costs.

W. R. GREGG, *Acting Secretary of Agriculture.*

26870. Adulteration of egg meats and sugared egg yolks. U. S. v. 10, 19, and 340 Cans of Egg Products. Default decrees of condemnation and destruction. (F. & D. nos. 38696, 38697, 38702. Sample nos. 3214-C, 3215-C, 3216-C.)

These cases involved egg products that were decomposed.

On November 23, 1936, the United States attorney for the Southern District of California, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 350 cans of egg meats and 19 cans of sugared egg yolks at Los Angeles, Calif., alleging that the articles had been shipped in interstate commerce on or about April 25 and October 22, 1936, by the Utah Poultry Producers Cooperative Association, from Salt Lake City, Utah, and charging adulteration in violation of the Food and Drugs Act. The product designated as egg meats was labeled: "Milk White Products Egg Meats Packed and Distributed by Utah Poultry Producers Cooperative Ass'n. Salt Lake City, Utah."

The articles were alleged to be adulterated in that they consisted wholly or in part of decomposed animal substances.

On December 22, 1936, and January 12, 1937, no claimant having appeared, judgments of condemnation were entered and it was ordered that the products be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

26871. Adulteration and misbranding of tomato puree. U. S. v. 72 Cases of Tomato Puree. Default decree of condemnation. Product delivered to a charitable organization. (F. & D. no. 38708. Sample no. 4677-C.)

This product was deficient in tomato solids.

On or about December 1, 1936, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 72 cases of canned tomato puree at Oklahoma City, Okla., alleging that it had been shipped in interstate commerce on or about July 9, 1936, by the Riona Products Co., from McAllen, Tex., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Valley Rose Brand Tomato Puree * * * Packed by Riona Products Co. Inc. McAllen, Texas."

The article was alleged to be adulterated in that a product deficient in tomato solids had been substituted for tomato puree, which it purported to be.

It was alleged to be misbranded in that the statement on the label, "Tomato Puree", was false and misleading and tended to deceive and mislead the purchaser when applied to an article that was deficient in tomato solids.

On December 16, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be delivered to a charitable organization.

W. R. GREGG, *Acting Secretary of Agriculture.*

26872. Adulteration of tomato catsup. U. S. v. 49 Cases of Tomato Catsup. Default decree of condemnation and destruction. (F. & D. no. 38718. Sample no. 10465-C.)

This product contained filth resulting from worm and insect infestation.

On November 28, 1936, the United States attorney for the District of Arizona, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 49 cases of tomato catsup at Phoenix, Ariz., alleging that it had been shipped in interstate commerce on or about November 18, 1936, by Smart & Final Co., Ltd., from Wilmington, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Table Queen brand * * * Packed For Smart & Final Co. Ltd."

It was alleged to be adulterated in that it consisted wholly or in part of a filthy vegetable substance.

On January 18, 1937, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*